

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

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(Admitted *pro hac vice*)
ATTORNEYS FOR DEBTOR

In re:

LTL MANAGEMENT LLC,¹

Debtor.

Chapter 11

Case No.: 21-30589 (MBK)

Judge: Michael B. Kaplan

Hearing Date and Time:

February 14, 2022 at 9:00 a.m.

DECLARATION OF DAVID S. TORBORG

I, David S. Torborg, hereby declare under penalty of perjury:

1. I am a partner of the law firm of Jones Day; my office is located at 51 Louisiana Ave., N.W. Washington, D.C. 20001. I am a member in good standing of the Bar of Ohio and the District of Columbia. My application to appear *pro hac vice* in this case has been granted by

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

this Court. There are no disciplinary proceedings pending against me.

2. I submit this declaration (the “Declaration”) in connection with the *Debtor’s Sur-Reply in Opposition to Motions to Dismiss Chapter 11 Case* filed contemporaneously herewith.

I have personal knowledge of the matters set forth herein.

3. Attached hereto as **Exhibit A** is a true and correct copy of an excerpt from the transcript of the October 27, 2021 hearing in *Vanklive v. Johnson & Johnson, et al.*, (Cal. Sup. Ct. Oct. 27, 2021) (the “Vanklive Tr.”)

4. Attached hereto as **Exhibit B** is a true and correct copy of an excerpt from the deposition of Richard Dickinson, taken on January 26, 2022 (the “Dickinson Tr.”).

5. Attached hereto as **Exhibit C** is a true and correct copy of an excerpt from the deposition of Robert Wuesthoff, taken on December 22, 2021 (the “Wuesthoff Tr.”).

6. Attached hereto as **Exhibit D** is a true and correct copy of an excerpt from the November 5, 2021 hearing transcript in this chapter 11 case (the “Nov. 5, 2021 Hearing Transcript”).

7. Attached hereto as **Exhibit E** is a true and correct copy of an excerpt from the January 19, 2022 hearing transcript in this chapter 11 case (the “Jan. 19, 2022 Hearing Transcript”).

8. Attached hereto as **Exhibit F** is a true and correct copy of an excerpt from the November 4, 2021 hearing transcript in this chapter 11 case (the “Nov. 4, 2021 Hearing Transcript”).

9. Attached hereto as **Exhibit G** is a true and correct copy of an excerpt from the November 10, 2021 hearing transcript in this chapter 11 case (the “Nov. 10, 2021 Hearing Transcript”).

10. Attached hereto as **Exhibit H** is a true and correct copy of an excerpt from the deposition of Adam Lisman, taken on October 30, 2021 (the “Lisman Tr.”).²

11. Attached hereto as **Exhibit I** is a true and correct copy of an excerpt from the deposition of Thibaut Mongon, taken on January 19, 2022 (the “Mongon Tr.”).

12. Attached hereto as **Exhibit J** is a true and correct copy of an excerpt from the deposition of Michelle Ryan, taken on January 27, 2022 (the “Ryan Tr.”).

13. Attached hereto as **Exhibit K** is a true and correct copy of an excerpt of *The Future Claimants’ Representative’s Initial Submission on the Debtors’ Preliminary Injunction Motion*, submitted in *In re Aldrich Pump LLC*, No. 20-03041 (W.D.N.C. Apr. 19, 2021) (the “Aldrich FCR Submission”).

14. Attached hereto as **Exhibit L** is a true and correct copy of an excerpt from the *Declaration of David J. Gordon, President and Chief Restructuring Officer of the Debtor, in Support of Chapter 11 Petition and First Day Pleadings*, filed in *In re Paddock Enters., LLC*, No. 20-10028 [Dkt. 2] (Bankr. D. Del. Jan. 6, 2020) (the “Paddock First Day Declaration”).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: February 9, 2022
Washington, D.C.

Respectfully submitted,

/s/ David S. Torborg
David S. Torborg

² Nothing included in any of the exhibits in this Declaration is deemed confidential at this time, irrespective of any previous designations.

Exhibit List

Exhibit A – Vanlkive Tr.

Exhibit B – Dickinson Tr.

Exhibit C – Wuesthoff Tr.

Exhibit D – Nov. 5, 2021 Hearing Transcript

Exhibit E – Jan. 19, 2022 Hearing Transcript

Exhibit F – Nov. 4, 2021 Hearing Transcript

Exhibit G – Nov. 10, 2021 Hearing Transcript

Exhibit H – Lisman Tr.

Exhibit I – Mongon Tr.

Exhibit J – Ryan Tr.

Exhibit K – Aldrich FCR Submission

Exhibit L – Paddock First Day Declaration